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NOTIFICATIONS BY GOVERNMENT

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MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT DEPARTMENT (M)

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT DEPARTMENT – VISAKHAPATNAM METROPOLITAN REGION DEVELOPMENT AUTHORITY – PREPARATION OF MASTER PLAN FOR VISAKHAPATNAM METROPOLITAN REGION (VMR) - 2041 INCLUDING REVIEW AND REVISION OF EXISTING MASTER PLAN AND PREPARATION OF PERSPECTIVE PLAN — 2051 – SANCTION UNDER SECTION 13 OF THE ANDHRA PRADESH METROPOLITAN REGION AND URBAN DEVELOPMENT AUTHORITIES ACT, 2016 (ACT 5 OF 2016) – ACCORDED – ORDERS -ISSUED.

[G.O.Ms.No.136, Municipal Administration & Urban Development (M) Department, 08th November, 2021]

NOTIFICATION

In exercise of the powers conferred by Section 13 of the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016 (Act 5 of 2016), the Government of Andhra Pradesh hereby approve the Perspective Plan — 2051, Master Plan — 2041, along with Zoning Development Promotion Regulations for Visakhapatnam Metropolitan Region Development Authority (VMRDA) subject to condition that the Building Rules and Layout Rules shall be as per the Andhra Pradesh Building Rules, 2017 issued in G.O.Ms.No.119, MA&UD Department dated:28-03-2017 and its subsequent amendments & the Andhra Pradesh Land Development (Layout and Sub-division) Rules, 2017 issued vide G.O.Ms.No.275, MA&UD Department, dated:18.07.2017 and its subsequent amendments, respectively. The Perspective Plan and Master Plan along with the Zoning Development Promotion Regulations shall come into force from date of its publication in the Gazette.

A copy of the Master Plan and Perspective Plan is kept open for inspection by the public at the VMRDA Office and also at the Offices of the ULBs /Panchayats included in Master Plan and Perspective Plan, during the office hours for a period of six months from the date of the publication of the Notification in the Andhra Pradesh Gazette.

The following are Zoning and Development Promotion Regulations (ZDPRs) published as part of the Master Plan for Visakhapatnam Metropolitan Region (VMR), 2041 for better understanding of land use zoning:

1. Short Title, Commencement & Definitions

SHORT TITLE

These regulations may be called the Zoning and Development Promotion Regulations (ZDPRs) for Visakhapatnam Metropolitan Region (VMR), 2041.

EXTENT

Subject to the provisions of the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016, these Regulations shall apply to all development works within the limits of the Visakhapatnam Metropolitan Region Development Authority Area.

COMMENCEMENT

These Regulations shall come into force on and from the date prescribed in the notification of the sanction of the Master Plan/Zonal Development Plans for VMR Region.

They shall be read with the prevailing regulations and GOs issued by the Government and Competent Authority from time to time. All regulations and bye-laws or parts thereof which may be in conflict with these regulations will be invalid to the extent they are so inconsistent, and these regulations shall prevail, with effect from the date from which these regulations come into force.

GENERAL PROVISIONS

APPLICABILITY OF REGULATIONS

The uses permitted in these Regulations are subject to the overall conformity with the Master Plan, which is notified from time to time. These Regulations will not prohibit the existing uses of lands and buildings that have been lawfully established prior to the coming into force of these Regulations; provided that where the existing use is a non-confirming one, i.e., a use under which these Regulations will not be permissible; provide further, that it will be open to the Authority to order the discontinuance or continuance subject to such restrictions and conditions as may be imposed by it, of an existing use which is non-confirming and which in its opinion is injurious to the particular use zone.

INTERPRETATION

In these Regulations, the use of the present tense includes the future tense, the masculine gender includes the feminine and the neutral, the singular number includes the plural and plural includes the singular. The word 'person' includes a corporation, individual writing includes printing and typing, and signature includes thumb impression made by a person who cannot write if his name is written near to such thumb impression. If any question or dispute arises with regard to interpretation of any of these Regulations, the decision of the Competent Authority shall be final.

PENALTIES

Any person contravening any of the aforesaid regulations or any of the provisions of the Master Plan/Zonal Development Plans shall on such contravention be liable to a punishment as provided in the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016, and Regulations framed thereunder as in force from time to time.

GENERAL DEFINITIONS

In these Regulations, unless the context otherwise requires, the terms and expressions defined as follows shall have the meaning indicated against each of them. The terms and expressions not defined in these regulations shall have the same meaning assigned to them as in the Municipal Corporations Act, 1955; Andhra Pradesh Municipal Corporations Act, 1994; Andhra Pradesh Municipalities Act 1965, Andhra Pradesh Metropolitan Region and Urban Development Authorities Act 2016, Andhra Pradesh Building Rules 2017, National Building Code of India and Andhra Pradesh Land Development (Layout and Sub-division) Rules 2017 in Go. Ms. No. 275 M. A. dated: 18.7.2017 and its amendments issued by the Govt. from time to time.

- (1) **‘Act’** means the Andhra Pradesh Metropolitan Region and Urban Development Authorities Act, 2016.
- (2) **‘Authority’** means, the Metropolitan Region Development Authority constituted for the Development Area under sub-section (1) of section 4 of the Act;
- (3) **‘Competent Authority’** means the Metropolitan Commissioner of VMRDA.
- (4) **‘Council’** means the Municipal Council of Municipality, General Body or Standing Committee of a Municipal Corporation or Gram Panchayat (in case of areas falling in Gram Panchayats covered in sanctioned Master Plan / GTP Scheme).
- (5) **‘Development’** means development with its grammatical variations means the carrying out of building, engineering, mining or other operations in or over, or under land or water or the making of any material change, in any building or land, or in the use of any building or land, and includes re-development and layout for sub-division of any land, and “to develop” shall be construed accordingly.
- (6) **‘Development Area’** means the area or group of areas declared to be a development area under Sub-section (1) of Section 3 of the Act.
- (7) **‘Director’** means the Director of Town and Country Planning, Government of Andhra Pradesh.
- (8) **‘Executive Committee’** means, Members constituted as persub-section-5 of Section-4of the Act.
- (9) **‘Government’** means the Government of Andhra Pradesh.
- (10) **‘Land Pooling Scheme’** means a scheme as provided in subsection (1) of section 26 of the Act.
- (11) **‘Local Authority’** means;
 - (a) a Municipal Corporation constituted under the respective Act; or
 - (b) a Municipality or a Nagar Panchayat constituted under the Andhra Pradesh Municipalities Act, 1965; or
 - (c) a Gram Panchayat constituted under the Andhra Pradesh Panchayat Raj Act, 1994; or
 - (d) any other body or authority constituted under the relevant Act to govern the urban services;
- (12) **‘Members of the Authority’** means Members constituted as per Sub-section-3(i) of Section-4the Act.

- (13) '**Metropolitan Area**' means an area having a population of a million or more, comprised in one or more districts and consisting of two or more Municipalities or Panchayats or other contiguous area or an urban agglomeration area with a population of million and above as per the Census of India, specified by public notification to be a metropolitan area.
- (14) '**Metropolitan Commissioner**' means the Metropolitan Commissioner of the Authority appointed by the Government under Sub-clause (d) of clause (i) of Sub-section (3) of Section-4 of the Act.
- (15) '**Metropolitan Region**' means the metropolitan area as whole and its primary commuter areas, typically formed around the metropolitan area proper with a large concentration of people or a region as notified by the Government.
- (16) '**Prescribed**' means prescribed by rules and regulations made under the Act.
- (17) '**Town Planning Scheme (TPS)**' means the scheme prepared under the Act for achieving the planned development as envisaged in the sanctioned development plan.
- (18) '**Urban Area**' means
 - (a) the area comprised within the Municipal Corporation constituted under the respective Acts or within the Municipality or a Nagar Panchayat constituted under the Andhra Pradesh Municipalities Act, 1965 and any such area in the vicinity as the Government may, having regard to the extent of, and the scope for the urbanization of that area or other relevant considerations, specify in this behalf by notification or an area specified as urban as per the Census of India and
 - (b) Such other area as the Government may, by notification, declare to be an urban area, which in the opinion of the Government, is likely to be urbanized.
- (19) '**Urban region**' means the urban area as whole and the surrounding urban and rural areas and also the primary commuter areas typically formed around the urban area proper with a large concentration of people or a region as notified by the Government.
- (20) The words and expressions used but not defined in these rules shall have the meaning assigned to them in the Act.
- (21) '**Zonal Development Plan (ZDP)**' means the set of plans for the promotion and development of a zone or part of a zone or a local authority of the development area prepared and sanctioned under the provisions of the Act.
- (22) '**Zone**' means any one of the divisions in which a development area may be divided for the purpose of securing, promoting and regulating development and for providing the urban services under the Act, and the words 'Zoning Regulations' shall be construed accordingly.
- (23) '**Zoning & Development Promotion Regulations**' means the regulations made under various sections of AP TP Act, 1920 and APMR&UDA Act 2016.
- (24) In these regulations the use of present tense includes the future tense, the Masculine gender includes the feminine and the neutral. The singular number includes the plural and the plural includes the singular. The word 'Person' includes other public institutions, other agencies and individual. Writing includes printing and typing and signature includes 'Thumb impression' made by a person who cannot write if his name is written near to such thumb impression.

TECHNICAL DEFINITIONS

In these regulations, unless the context otherwise requires, the definition given under, shall have the meaning indicated against each term. Words and expressions not defined in these regulations shall have the same meaning or sense as in the Andhra Pradesh Town Planning Act, 1920, AP Municipalities Act 1965, A.P. Municipal Corporation Act 1994, and APMR&UDA Act 2016.

1. **Assembly Buildings**
A building or part thereof, where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes and these includes buildings of drama and cinema theatres, drive-in-theatres, assembly halls, city halls, town halls, auditoria, kalyanamandapas / function halls /marriage halls, kalakshetras, exhibition halls, museums, skating rinks, gymnasium, restaurants, eating or boarding houses, places of worship, dance hall, clubs, gymkhanas and road, railways, air, sea or other public transportation stations and recreation piers.
2. **Accessory Building**
A Building separate from the main building on a plot and containing one or more rooms for necessary use such as Servant's Quarter, Garage, Store rooms or such areas as may be classified by the Competent Authority.
3. **Accessory Use**
Means any use of the premises subordinate to the principal use and customarily incidental to the principal use.
4. **Aerobic Center**
A place or building where rhythmic aerobic exercise with stretching and strength training routines with the goal of improving all elements of fitness (flexibility, muscular strength, and cardio-vascular fitness).
5. **Amenity**
'Amenity' includes club house, convention halls, educational, commercial facilities, crèche, gymnasium, convenient shopping etc.,
6. **Application**
An application made in such form as may be prescribed by the Authority from time to time.
7. **Approved**
As approved / sanctioned by the concerned authority under the bye-laws /rules.
8. **Aqua farm**
A small tank (aquarium) filled with water, plants, and a fish. It is used to cultivate fish or shellfish under controlled conditions.
9. **Auditorium/Community Hall**
The accommodation provided for the public to view the cinematograph exhibitions/cultural activities etc.
10. **Bachelor Quarter**
A building intended for unmarried people.
11. **Banquet hall**
Means a large building or room where large formal meals for many people can be held.
12. **Bio Informatics Lab**
A lab where collecting and analyzing complex biological data such as genetic codes.
13. **Buffer area”** means
 - (a) an area of land separating adjacent land uses that is managed for the purpose of mitigating impacts of one use on the other.
 - (b) an area within which sensitive uses are either restricted or prohibited.
 - (c) a buffer area consists of a separation distance and one or more buffer elements. Buffer element is a natural or artificial feature that mitigates an adverse impact; a buffer may include open ground, a vegetation buffer and or acoustic barrier.

14. **“Building”** means a structure constructed with any materials whatsoever for any purpose, whether used for human habitation or not and includes-
- (a) Foundation, Plinth, Walls, Floors, Chimneys, Plumbing and Building services, Fixed Platforms etc.
 - (b) Verandahs, Balconies, Cornices, Projections etc.
 - (c) Parts of a building or anything affixed thereto,
 - (d) Any wall enclosing or intended to enclose any land or space, sign and outdoor display structures etc.
 - (e) Tanks constructed or fixed for storage of chemicals or chemicals in liquid form and for storage of water, effluent, swimming pool, ponds etc.
 - (f) All types of buildings defined below shall be considered to be ‘buildings’ except tents, shamianas and tarpaulin shelters erected temporarily for temporary purposes and ceremonial occasions.
 - (i) **“Assembly Building”** means a building or part thereof where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes and includes buildings of drama and cinema theatres, city halls, town halls, auditoria, exhibition halls, museums, marriage hall, skating rings, gymnasia, stadia, restaurants, eating or boarding houses, place of worship, dance halls, clubs, gymkhanas, road, air, sea or other public transportation stations and recreation piers.
 - (ii) **“Business Building”** means any building or part thereof used for transaction of record therefore, offices, banks, all professional establishments, court houses classified as business buildings if their principal function is transaction of business and/or keeping of books and records.
 - (iii) **“Detached Building”** means a building with walls and roofs independent of any other building and with open spaces on all sides within the same plot.
 - (iv) **“Semi-Detached Building”** means a building having one or more side attached with wall and roof with other building.
 - (v) **“Row House”** means a row of houses on adjacent plot with a common wall with only front, rear and/or interior open spaces. The house at the end of the row shall however have side open space as prescribed.
 - (vi) **“Educational Building”** means a building exclusively used for a school or college, recognized by the appropriate Board or University, or any other Competent Authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other user’s incidental thereto such as a library or a research institution. It shall also include quarters for essential staff required to reside in the premises, and a building used as a hostel captive to an educational institution whether situated in its campus or not.
 - (vii) **“Hazardous Building”** means a building or part thereof used for-
 - (1) Storage, handling, manufacture or processing of radioactive substances or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and/or producing poisonous fumes.

- (2) Storage, handling, manufacture or processing of which involves highly corrosive, toxic obnoxious alkalis, acids, or another liquids, gases or chemicals producing flame, fumes, and explosive mixtures or which result in division of matter into fine particles capable of spontaneous ignition.
- (viii) **"Industrial Building"** means a building or part thereof wherein products or, material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills, dairies and factories etc.
- (ix) **"Institutional Building"** means a building constructed by Government, Semi-Government organizations, public sector undertakings, registered Charitable Trusts for their public activities, such as education, medical, recreational and cultural, hostel for working women or men or for an auditorium or complex for cultural and allied activities or for an hospice, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes dharamshalas, hospitals, sanatoria, custodian and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories building constructed for the promotion of Tourism such as, stared hotels, clubs, golf course, sport stadium and all activities of Tourist Unit as may be declared by Government from time to time.
- (x) **"Mercantile Building"** means a building or part thereof used as shops, stores or markets, for display and sale of wholesale or retail goods or merchandise, including office, storage and service facilities incidental thereto located in the same building.
- (xi) **"High-rise Building"** "means a building with 18 meters and above (including stilt floor) in height. However, Chimneys, cooling towers, Boiler rooms/Lift machine rooms, Cold storage and non-working areas in case of industrial buildings and water tanks and architectural features in respect of other buildings may be permitted as a non-high-rise building.
- (xii) **"Office Building"** (premises), means a building or premises or part thereof whose sole or principal use is for an office or for office purposes or clerical work. Office purposes include the purpose of administration, clerical work, handling money, telephone, telegraph and computer operation; and clerical work includes writing, book-keeping, sorting papers typing, filing, duplicating, punching cards or tapes, machines calculations, drawing of matter for publication and editorial preparation of matter of publication.
- (xiii) **"Public Building"** means a building constructed by Government, Semi government organizations, public sector undertakings, registered Charitable Trust or such other organizations for their non-profitable public activities.
- (xiv) **"Residential Building"** means a building in which sleeping accommodation is provided for normal residential purposes, with or

without cooking or dining facilities, and includes one or more family dwellings, lodging or boarding houses, hostels, dormitories, apartment houses, flats and private garages such buildings.

- (xv) **"Heritage Precinct"** means an area comprising heritage building or buildings and precincts thereof or related places.
- (xvi) **"Storage Building"** means a building or part thereof used primarily for storage or shelter of goods, merchandise and includes a building used as a warehouse, cold storage freight depot, transit shed, store house, public garage, hanger, truck terminal grain elevator, barn and stable.
- (xvii) **"Unsafe Building"** means a building which,
 - (a) is structurally unsafe,
 - (b) is insanitary,
 - (c) is not provided with adequate means of egress,
 - (d) constitutes a fire hazard,
 - (e) is dangerous to human life,
 - (f) in relation to its existing use constitutes a hazard to safety or health or public welfare by reasons of inadequate maintenance, dilapidation or abandonment.
- (xviii) **"Wholesale establishment"** means an establishment wholly or partly engaged in wholesale trade and manufactures wholesale outlets, including related storage facilities, warehouses and establishments engaged in truck transport, including truck transport booking warehouses.

15. **Business Buildings**

These shall include any building or part of a building which is used for transaction of business for the keeping of accounts and records for similar purposes; doctor's service facilities, court houses, record and reference libraries shall be classified in this group in so far as principal function of these is transaction of public business.

16. **Choultries**

A resting place, for travelers, pilgrims or visitors to a site, typically linked to religious groups/ Places.

17. **Community Amenities**

Spaces means the areas set apart in a layout for a shopping area, post office, bank, fair price shop, milk booth, school, dispensary, a nursing home, child care center, library, community hall, kalyanamandapam, police station, local office of the Electricity board, water works, local body and such other amenity as specified by the competent authority.

18. **Convenience Shopping Center**

Premises used as a complex for a group of shops comprising of those dealing with day to day requirements of the population and as distinguished from wholesale and higher order shopping area.

- (a) Bicycle hire and repair shops,
- (b) Books and stationery shops or stores,
- (c) Cloth and garment shops,
- (d) Florists,
- (e) Food-grains or ration shops, each with carpet area not exceeding 50 Sq. m,
- (f) Groceries, confectioneries, and general provision shops, each with a carpet area not exceeding 50 sq. m,

- (g) Hair dressing saloons and beauty parlours,
- (h) Medical and dental practitioner's dispensaries or clinics, pathological or diagnostic clinics and pharmacies, each with a carpet area not exceeding 50 sq. m,
- (i) Milk and milk products shops,
- (j) Newspaper, magazine stalls and circulating libraries,
- (k) Plumbers, electricians, radio, television and video equipment repair shops and audio/video libraries,
- (l) Restaurants and eating houses each with a carpet area not exceeding 50 sq. m,
- (m) Shoes and sports shops each with a carpet area not exceeding 75 sq. m,
- (n) Shop for collecting and distribution of clothes and other materials for cleaning and dyeing establishments,
- (o) Shops dealing in ladies ornaments such as bangles, fancy and gift items etc.,
- (p) Shops selling bakery products,
- (q) Tailor or darning shops,
- (r) Vegetable and fruits shops.

19. **Categories of Industries/Projects/Activities**

The Industrial building permissions shall be considered under Red, Orange, Green and White categories as per the guidelines prescribed by the Industries & Commerce department and MoEF&CC as amended from time to time.

20. **Club**

An association dedicated to a particular interest or activity.

21. **Cottage Industry or Customary Home Occupation**

Means a home occupation customarily carried out by a member of the family residing in the premises without employing hired labor, without display of goods, and which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighborhood, provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and /or employing licensable goods. If power is used, the total electricity load shall not exceed (10) H.P.;

22. **Cultural and Philanthropic Associations**

An organization seeking to promote the welfare of others.

23. **"Developer"** means,

- a. A person who constructs or causes to be constructed an independent building or a building consisting of apartments, or converts an existing building or a part thereof into apartments, for the purpose of selling all or some of the apartments to other persons and includes his assignees; or
- b. A person who develops land into a project, whether or not the person also constructs structures on any of the plots, for the purpose of selling to other persons all or some of the plots in the said project, whether with or without structures thereon; or
- c. Any development authority or any other public body in respect of allottees of—
- d. Buildings or apartments, as the case may be, constructed by such authority or body on lands owned by them or placed at their disposal by the Government, or
- e. Plots owned by such authority or body or placed at their disposal by the Government, for the purpose of selling all or some of the apartments or plots; or
- f. An apex State level co-operative housing finance society and a primary co-operative housing society which constructs apartments or buildings for its members or in respect of the allottees of such apartments or buildings; or
- g. Any other person who acts himself as a builder, colonizer, contractor, promoter, estate developer or by any other name or claims to be acting as the holder of a power of

- attorney from the owner of the land on which the building or apartment is constructed or plot is developed for sale; or
- h. Such other person who constructs any building or apartment for sale to the general public.

Explanation: For the purposes of this clause, where the person who constructs or converts a building into apartments or develops a plot for sale and the persons who sells apartments or plots are different persons, both of them shall be deemed to be the promoters and shall be jointly liable as such for the functions and responsibilities specified in these rules;

24. **“Drain”** means a system or a line of pipes, with their fittings and accessories such as manholes, inspection chambers, traps gullies, floor traps used for drainage of building or yards appurtenant to the buildings within the same cartilage. A drain includes an open channel for conveying surface water or a system for the removal of any liquid.
25. **“Dwelling”** means a building or a portion thereof which is designed or used wholly or principally for residential purposes. This shall not include boarding or rooming houses, tents, tourist camps, hotels for other structures designed or used primarily for transient residents.
26. **“Dwelling Unit”** means a shelter consisting of residential accommodation for one family. It is an independent housing unit with separate facilities for living, cooking and sanitary requirements.
27. **Departmental Store**
A retail establishment offering a wide range of consumer goods in different product categories.
28. **Dharmashala**
A building devoted to religious or charitable purposes, especially a rest house for travelers.
29. **Diagnostic Center**
A place where medical tests are conducted to determine which disease or condition explains a person's symptoms and signs.
30. **“Enforcement Authority”** means the Vice Chairman of the UDAs, Municipal Commissioners of the ULBs and Panchayat Secretaries of the respective Gram Panchayats;
31. **“Existing Building”** means use of a building or a structure existing authorized before the commencement of these Regulations.
32. **“Existing Use”** means use of a building or a structure existing authorized before the commencement of these Regulations.
33. **Educational Buildings**
Includes a building exclusively used for a school or college involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other uses as research institution. It shall also include quarters for essential staff required to reside in the premises, and building used as a hostel captive to an educational institution whether situated in its campus or not.
34. **“Floor”** means the lower surface in a storey on which one normally walks in a building, and does not include a Mezzanine Floor. The floor at ground level with a direct access to a street or open space shall be called the Ground Floor; the floor above it shall be termed as Floor 1, with the next higher floor being termed as

- Floor 2, and so on upwards. Similarly the floors below ground levels shall be termed as Basement Floor 1, Basement Floor 2 with number decreasing downwards.
35. **Guest House**
A private house offering accommodation to paying guests.
 36. **Gymnasium**
A room or building equipped for gymnastics, games, and other physical exercise.
 37. **Hatcheries**
A building in which the hatching of fish or poultry eggs is artificially controlled for commercial purposes.
 38. **Hazardous Buildings**
Includes a building or part thereof used for:
 - (a) storage, handling, manufacture or processing of radioactive substances or of highly combustible or explosive materials or of products which are liable to burn with extreme rapidity and/or producing poisonous fumes or explosive emanations.
 - (b) storage, handling, manufacture or processing of which involves highly corrosive, toxic or noxious alkalis, acids, or other liquids, gases or chemicals producing flames, fumes and explosive mixtures etc., or which result in division of matter into fine particles capable of spontaneous ignition.
 39. **Heritage Building**
A building/premises or any part thereof or structure or artifact possessing architectural, aesthetic, historic or cultural values or ecological or environmental importance and requires conservation or preservation and which is declared as heritage building by the Authority in whose jurisdiction such building is situated.
 40. **Heritage Precinct**
An area comprising heritage building or buildings and precincts thereof or related places as declared by the Authority.
 41. **Holiday Resort**
A building where travelers can pay for lodging and meals and other services.
 42. **Hospital**
A health care institution providing patient treatment with specialized medical and nursing staff and medical equipment.
 43. **Hostel**
A hostel is an establishment which provides food and lodging at an affordable price for a specific group of people such as students, workers or travelers for a specific period.
 44. **Industrial Buildings:**
Any building or part of a building or structure, in which products or materials of all kinds and properties are fabricated assembled or processed like assembly plants, laboratories, power plants, smoke houses, refineries, gas plants, mills, dairies, factories etc.
 45. **Institutional Buildings**
Includes a building constructed by government, semi-government organizations or Registered Trusts and used for medical or other treatment, or for an auditorium or complex for cultural and allied activities or for an hospice, care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted library of the inmates ordinarily providing sleeping accommodation and including dharamashalas, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of

correction, detention and reformatories etc. However these shall not include Nursing Homes, Clinics and Diagnostics centers.

46. **Junk Yard**

A place where scrap is collected before being recycled or discarded.

47. **“Land”**

Includes benefits to arise out of land, things attached to the earth or permanently fastened to anything attached to the earth.

48. **Land use**

Land use means the principal use of land for which a plot of land or building therein is used or intended to be used. For the purposes of classification of a plot according to the land uses, a land use shall be deemed to include subsidiary land uses which are contingent upon it.

49. **“Licensed/Town Planner/Architect/Engineer/Structural Engineer/ Supervisor”**
means a qualified Town Planner, Architect, Engineer, Structural Engineer, Supervisor who has been licensed by the Competent Authority under relevant rules and also called as Licensed Technical Personnel.

50. **Hotels**

A hotel providing travelers with lodging and free parking facilities, typically a roadside hotel having rooms adjacent to an outside parking area.

51. **Multi-level Car Parking Building (Parking complex / Parking lot)**

A building may be partly below ground level having two or more basements or above ground level, primarily to be used for parking of cars, scooters or any other type of light motorized vehicle. A premise either built or open which is utilized purely for parking of vehicles permitted in specific areas.

52. **Multiplex Complex**

Shall mean an integrated entertainment and shopping center/complex of a shopping mall and having at least three (3) cinema halls/screens. Apart from Cinema Halls, the entertainment area may have restaurants, cafeteria, fast food outlets, video games parlors, pubs, bowling alleys, health spa/centers, convention centers, hotels and other recreational activities. However, habitable areas like hotels, service apartments shall not be allowed in the same block where the Multiplexes are set up and shall be allowed only as a separate block. Such a Complex may be spread over the site or be in one or more blocks which may be high-rise buildings or normal buildings.

53. **Night Shelter**

A place providing accommodation for the homeless at night.

54. **“Neighborhood Centre and Civic Centre”** means Neighborhood Centre and Civic Center shall include following activities such as sectorial shopping center, market, office building, cinema, small hospital, playground, swimming pool, Town hall, open air theatre, civic and cultural facilities, library, higher secondary school, parking plots, public utility and service building such as post office, fire station, police station, religious building and building of public uses.

55. **“Non-conforming Building or Use”** means a building, structure or use of land existing at the time of commencement of these regulations and which does not conform to the regulations pertaining to the zone in which it is situated.

56. **Non-Residential Buildings**

Buildings other than those defined above such as hotels, hostels, motels, shops, offices, schools, public assembly buildings and factories and those parts of the residential buildings common to a group of dwellings such as common circulation areas in blocks of two or more flats.

57. **Nursing Home**
Means any premises used or intended to be used for reception of persons suffering from any sickness, injury or infirmity and providing of treatment and nursing for them and include a maternity home with a capacity of not more than 20 beds.
58. **Office Building**
Includes a building or premises or part thereof whose sole or principal use is for an office or for office purposes or clerical work. Office purposes include the purpose of administration, clerical work, handling money, telephone, telegraph and computer operation; and clerical work includes writing, book-keeping, sorting papers, typing, filling, duplicating, punching cards or tapes machine calculations, drawing of matter for publication and editorial preparation of matter for publication.
59. **“Occupancy or Use”**
means the principal occupancy or use for which a building or a part of it is used or intended to be used, including contingent subsidiary occupancies; mixed occupancy building being those in which more than one occupancy are present in different portions of the building.
60. **Open Space**
Means an area, forming an integral part of the site left open to the sky and includes area left for community purposes.
61. **Orphanage Building**
A building where children without parents are cared for and housed.
62. **“Owner”** means the person who receives the rent for the use of the land or building or would be entitled to do so if they were let.
NOTE: The term Owner is synonymous with the term ‘applicant’.
- a) An agency or trustee who receives such rent on behalf of the owner,
 - b) A receiver, executor or administrator or manager appointed by any court of competent jurisdiction to have the charge of or to exercise the right of the owner,
 - c) An agency or trustee who receives the rent of or is entrusted with or is concerned with any building devoted to religious or charitable purposes,
 - d) A mortgagee of a lease holder so empowered.
63. **Parking Space**
An area enclosed or unenclosed, covered or open sufficient in size to park vehicles together with a drive way connecting the parking space with a street or alley and permitting ingress and egress of the vehicles.
64. **Parking Complex / Parking Lot**
Means premises either built or open which is utilized purely for parking of vehicles permitted in specific areas.
65. **“Permanent Open Air Space”** means air space permanently open--
- (a) If it is a street,
 - (b) If its freedom from encroachment is protected by any law or contract ensuring that the ground below it is either a street or is permanently and irrevocably appropriated as an open space.
 - (c) In determining the open air space required for construction of a building, any space occupied by an existing structure may, if it is

ultimately to become a permanently open air space, be treated as if it were already such a place.

66. **Pisciculture**
The breeding, rearing, and transplantation of fish by artificial means.
67. **Professional Offices**
An establishment for professional, executive or administrative offices, including those of accountants, lawyers, medical doctors, dentists, architects, engineers, drafting offices, insurance agents, real estate agents etc.
68. **Professional Establishments**
Means an establishment for other occupations that includes barbers, beauty salons, cosmetologists or other service establishments or building trades' contractors and other uses.
69. **Public Open Spaces:**
Means the areas set apart in a layout or land pooling scheme for parks and play grounds.
70. **Prescribed**
Means prescribed by bye-laws/rules made under the Act.
71. **Right of Way (RoW)**
Right of Way (RoW) is the width of road space/ land width planned between both ends of other property of land on its cross section, expressed in meters in this master plan, for all types/categories of roads, duly accommodating main carriageway and for future widening of lanes, space for footpath/ cycle tracks and space for accommodating all necessary public utilities/facilities/infrastructure along the roadway.
72. **“Road/Street”**
Means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square place or bridge, whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, road-side trees and, hedges retaining walls, fences, barriers and railings within the street lines.
73. **Road/Street-Level or Grade”**
means the officially established elevation or grade of the center line of the street upon which a plot fronts, and if there is no officially established grade, the existing grade of the street at its mid-point.
74. **“Road/Street Line”**
Means the line defining the side limits of a road/street.
75. **Row Housing**
A row of Houses with only front and rear open spaces/setback, having a common wall with the adjoining building.
76. **Service Apartment**
A service apartment (also known as a serviced apartment or an extended stay apartment) is a fully furnished apartment available for short-term or long-term stay, providing hotel-like amenities such as room service, housekeeping, a fitness center, a

laundry room, and a recreational room. Most of them are equipped with full kitchens, Wi-Fi and in-apartment washers and dryers.

77. **Service road**
Service road means a lane from a wider street provided at the front of a plot for service purposes.
78. **Sewage Farm**
A place where sewage is treated, especially for use as an agricultural fertilizer.
79. **Service Industry**
Industries which are not engaged in the manufacture of goods or articles, but are mainly concerned with the repair, maintenance, servicing and/or other jobbing work. An industry concerned mainly with repair, maintenance, servicing and / or jobbing work with sale of operation not exceeding 20 HP and 20 Manpower, without detriment to the amenity of the area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust, etc. The list of industries in this category shall be as per the Government orders in this regard.
80. **Site or Plot**
Means a continuous portion of land held in a single or joint ownership other than the land used, allotted, earmarked or set apart for any street, lane, passage, pathway, conservancy lane or for any other public purpose;
81. **Storage Building**
Any building or part of a building used Primarily for the storage or sheltering of goods, wares merchandise, like warehouses, cold storage's, freight depots, transit sheds, store houses, public garages, hangers, truck terminals, grain elevators barns and stables.
82. **Stock Yard**
A place which consists of sheds in which livestock is kept and sort.
83. **Transit Oriented Development (TOD)**
The integration of land use with transport systems, which is essentially 'any development, macro or micro that is focused around a transit node, and facilitates complete ease of access to the transit facility thereby inducing people to prefer to walk and use public transportation over personal modes of transport'.
84. **"Utility"**
Means roads, streets, open spaces, parks, recreational grounds, playgrounds, gardens, water supply, electric supply, street lighting, drainage, sewerage, public works and other utilities, communication network, services and convenience.
85. **"Village Settlement or GramaKantam or Agraharam or Abadi"**
Means all lands that have been included as Agraharam/Abadi by the Government/ Collector within the site of village and includes existing village hamlets.
86. **"Warehouse" or "Godown"**
Means a building, the whole or a substantial part of which is used or intended to be used for the storage of goods whether for storing or for sale or for any similar purpose. It is neither a domestic nor a public building, nor merely a shop if so used not a store attached to and used for the proper functioning of a shop.
87. **"Water Course"**
Means a natural channel or an artificial channel formed by draining or diversion of a natural channel meant for carrying storm and waste water.

88. **Way side amenities**
Amenities that are developed along the National Highways like food court, restaurants, Dhaba, roads/driveway, parking & pathways etc.
89. **Wholesale Establishment**
An establishment wholly or partly engaged in wholesale trade and manufacture wholesale outlets, including related storage facilities, warehouses and establishments engaged in truck transport, including truck transport booking agencies.
90. **"Width of a Street / Road"**
Means the clear average width of the existing carriage way and footpaths only on which the building or plot line abuts. The average width shall be computed by taking length of street between two extreme points on building unit abutting the street at right angles to the direction of such streets excluding the steps projections, forecourts, open areas of other spaces in front of the building erected or intended to be erected. However, in case where a regular line of street is prescribed by the Competent Authority, such width shall be considered for the purpose of computing building height. And when applied to a new road/street the road width means the whole extent of space within the boundaries of a road as laid down in the City Survey or development plan or prescribed road lines by any Act or land and measured at right angles to the course or intended course of direction of such road.

2. Procedure for Securing Building/ Development Permission

1. The Government of Andhra Pradesh has issued the Andhra Pradesh Building Rules 2017 in GO.MS. No. 119 M. A. & U.D. Dept. dated: 28.03.2017. (<http://vmrda.gov.in/new%20pdf/G.O.Ms.No.119,.pdf>)
2. The Andhra Pradesh Building Rules, 2017 and all subsequent amendments are applicable to the area falling in the Visakhapatnam Metropolitan Region Development Authority.
3. The procedure for building permissions shall be followed as per the Govt. orders issued from time to time. At present online building permission system is being followed. (<http://apdpms.ap.gov.in/>)
4. They are applicable to –
 - a. To the planning, design and construction of building in case of erection of a building;
 - b. To all parts of the building including change of roof whether removed or not, and in case of removal of whole or any part of the building;
 - c. To the remaining part of the building after demolition and work involved in demolition in case of demolition of whole or any part of a building;
 - d. To the whole building whether existing or new building (except only to that part of the building, which is consistent with these Regulations) in case of alteration of a building;
 - e. To all parts of the building affected by the change in case of change of occupancy of a building; and to use of any land or building where sub-division of land is undertaken. All the applicants/builders/developers/realtors shall scrupulously registered their projects with APRERA as applicable on obtaining permission from the Competent Authority.

5. All the applicants/builders/developers/realtors shall scrupulously registered their projects with APRERA as applicable on obtaining permission from the Competent Authority.

3. Procedure for Securing Layout Permission

1. The Government of Andhra Pradesh has issued the Andhra Pradesh Land Development (Layout and Sub-division) Rules 2017 in G.O.MS.No. 275 M. A. dated: 18.07.2017.

(<http://vmrda.gov.in/new%20pdf/G.O.Ms.No.275.pdf>)

2. The Andhra Pradesh Land Development (Layout and Sub-division) Rules, 2017 and any further amendments are applicable to the area falling in the Visakhapatnam Metropolitan Region Development Authority.
3. The procedure for layout permissions shall be followed as per the Govt orders issued from time to time. At present layout permissions is being approved through online. (<http://apdpms.ap.gov.in/>).
4. They are applicable to -
 - a. All land development through formation of layouts, sub-division of land and plots,
 - b. Land intended for sale or let on lease, to divide the large chunks of land into building plots, to make a layout or forming Private Street.
5. The above includes all categories and types of development wherein these rules are applicable.
 - a. All types of residential development viz., plotted type etc.,
 - b. All types of commercial, institutional and industrial development
 - c. Development of mixed land uses
 - d. Any other type of development schemes.

Provided that for low cost/ affordable housing schemes undertaken by the various government departments or development authorities or any local authority, separate provisions and stipulations shall be applicable as decided by the government/competent authority.

6. All the applicants/builders/developers/realtors shall scrupulously registered their projects with APRERA as applicable on obtaining permission from the Competent Authority

4. Land Use Zoning Regulations

4.1 GENERAL INSTRUCTIONS

- a. Words and expressions not defined in these regulations shall have the same meaning or sense as in the relevant acts and Andhra Pradesh Building Rules 2017 & Andhra Pradesh Land Development (Layout and Sub-division) Rules 2017 as amended from time to time.
- b. The area to which the Master Plan/Zonal Development Plan is applied shall be within

the schedule of the boundaries notified along with the Master Plan/Zonal Development Plan and as shown in the proposed land use map which indicates the land use, streets, roads and land use zones in the area and such particulars and details in relation to the development of the area by means of references, letters, numbers, distinguishing colours or otherwise.

- c. The Authority/ Local Authority/ Competent Authority shall have power to specify any date or period for the execution of any work, which under the Master Plan/Zonal Development Plan is to be executed by any authority, owner or other person, as the local authority thinks necessary and expedite for the purpose of securing the development of the area envisaged in the Master Plan/Zonal Development Plan without delay and ensuring the efficient operation of the Plan.
- d. Subject to the provisions of the Master Plan/Zonal Development Plan, all the new and proposed roads shown in the plan shall be developed/constructed by the owners provided that the reasonable minor modifications without disturbing the alignment against the planning norms and in the lands of other owners as proposed in the Master Plan/Zonal Development Plan may be made by the Competent Authority.
- e. If any owner of the land within the area covered by the Master Plan/Zonal Development Plan intends or proposes to layout a street, lane or path-way or subdivides, utilises, leases or otherwise disposes off such land or any portion or the portions of the same as site or sites for the building and other purposes, he shall submit for the approval to the competent authority the site or layout plan showing the land and the site or sites intended for or proposed for building and other purposes and street or streets either existing already or intended to be laid out and made by the owner giving access to the site or sites within the provisions of Master Plan/Zonal Development Plan and within the relevant provisions of the respective Act and the rules governing the land/ layout development.
- f. No Development in the area covered by the Master Plan/Zonal Development Plan shall be undertaken in contravention of these Zoning and Development Promotion Regulations.
- g. The owners or occupiers may continue to use the land and buildings in the area for the purpose for which they are used on the date of Master Plan/Zonal Development Plan, provided that the Local authority may at any time issue notice on the owners or occupiers to prohibit the further use of the land and building for such purposes which in his opinion hinder or is likely to hinder the progress of the Master Plan/Zonal Development Plan or create hindrance to the general interest.
- h. The Local Authority may, for the purposes of the Master Plan/Zonal Development Plan, demolish or cause to be demolished or alter or cause to be altered any building in the Master Plan/Zonal Development Plan area so far as may be necessary for carrying out the proposals envisaged in the Master Plan/Zonal Development Plan into effect.
- i. Notwithstanding anything contained in the Master Plan/Zonal Development Plan, the Local Authority may prepare a layout plan for any portion of the area to determine on the lines in which the detailed development of such area shall take place and the manner in which the layout of streets, sub-divisions of land into sites for the building

purposes and other purposes and the reservation of any land for community or public purpose shall be carried out and submit the same for the approval of the Competent Authority. The layout plan as approved by the Competent Authority and the restrictions and conditions, if any, imposed shall be read as part of the Master Plan/Zonal Development Plan shall be enforceable.

- j. The Local Authority shall have power to impose restrictions and conditions, while granting permissions to certain buildings of importance and to make suitable modifications or alterations in the designs or architecture or materials of the buildings as it thinks fit or shall cause to be made such modifications or alterations as the Competent Authority may consider necessary. The restrictions and conditions as laid down by the Local Authority or as altered by the Competent Authority shall be adopted by the applicant, owner or other persons concerned and shall be enforceable.
- k. The Local Authority, if thinks fit, in any particular case and subject to such conditions as may impose, dispense with or modify in consultation with the Competent Authority, any of the requirements of the Master Plan/Zonal Development Plan other than the requirements made obligatory by any law, provided that it is satisfied to the effect that there are circumstances warranting such dispensation or modification and that the interest of the Master Plan/Zonal Development Plan will not be prejudicially effected thereby and his decision shall be final.
- l. Any person who commits or knowingly permits breach of any provisions of the Master Plan/Zonal Development Plan or who neglects or fails to comply with any of the provisions of the Master Plan/Zonal Development Plan or any orders, proceedings, conditions, restrictions, limitations or terms made or imposed under or in pursuance of any of the provisions of the Master Plan/Zonal Development Plan, the rules or the Act, shall be convicted or punished in accordance with the relevant provisions of the Act.

4.2 USES PERMISSIBLE IN VARIOUS LAND USE ZONES

- a. These regulations shall guide the grant or refusal of the permission and shall be enforceable by the Development Authority and the Local Authorities.
- b. All Village connecting roads shall be widened up to 12m (40ft) in width irrespective of whether they are shown in the Master Plan or not. In cases, the road widening inside/ along the settlement area as shown in the Master Plan is subject to all possibilities. Whenever any proposal is being considered for the site abutting to a Village Road, the minimum width shall be maintained as 12m (if not proposed for higher width in the Master Plan) and in case of any shortage in the existing width, the widening shall be proposed for 12m (or for higher width if proposed in the Master Plan) duly showing the affected portion on either sides of road and to that extent the affected portion shall be shown in the proposed site duly taking over the same by the Local Authority by way of registered gift deed before issuing the Development Permission. In case the existing road is passing through canal bund, tank bund or foot of hills etc., where there is no possibility for affecting the widening, in such cases, the widening shall be affected only on other side.
- c. The implementation and enforcement of the Master Plan shall be in accordance with the Zoning and Development Promotion Regulations herein prescribed.

d. The Land Use contains the following categories and sub category classification.

1. Residential Use Zone
2. Commercial Use Zone
3. Mixed Use Zone
a) Mixed Use Zone 1
b) Mixed Use Zone 2
c) Mixed Use Zone 3
d) Mixed use Zone 4
4. Industrial Use Zone
5. Public and Semi-Public Use Zone
a) Government & Semi Government Facilities
b) Educational Facilities
c) Health Facilities
d) Religious Facilities
e) Crematorium/Burial Ground/Graveyard
6. Public Utilities Use Zone
7. Recreational Use Zone
a) Parks & Playgrounds
b) Recreational/ Green Buffers
8. Transportation Use Zone
9. Agriculture Use Zone
10. Brown Zone(Hills)
11. Special Area Use Zone (Defense/ Military)
12. Protected Use Zone (Water bodies, Forests, Hills, CRZ).
a) Blue Zone(Water bodies)
b) Green Zone(Forest)
c) National Park/Eco sensitive Area/ Bio-Diversity/Zoological Park
d) Sea/River Accreted Land

e. All other uses **NOT MENTIONED** in the respective tables are considered to be **PROHIBITED USES**.

f. All buildings shall be permissible by the Competent Authority subject to obtaining of necessary NoC's as applicable from respective authorities.

Note: The allowable uses mentioned in the below land use zones are not exhaustive anywhere and similar to the incidental uses are permissible, in their respective land uses.

4.3 RESIDENTIAL USE ZONE

Allowable Activities
· Aerobic Center
· Anganwadi, Day care center and Nursery School
· ATM
· Bachelor quarters / Staff Quarters
· Bakeries/canteen/Juice canters/confectioneries
· Battery Recharge stations
· Beauty parlor

Allowable Activities
· Books and stationery shops
· Bus Bays and Local Bus Stand, Multi-Level Parking / Open Parking / Taxi / Auto Rickshaw Stands, Railway / Metro / MRTS / BRTS Stations.
· Bus stops
· Cell/Mobile Towers
· Cloth and garments shops, Tailors and Darning shops
· Community center without commercial activity
· Community Halls (Constructed by the Government Agencies)
· Community Toilets/ Public Toilets
· Computer software units
· Customary home occupations and cottage industries not involving the use or installation of any machinery driven by power of any kind up to 5 HP subject to limit of 5 employees and which do not emitting noise, smoke, vibrations, dust, etc., provided that such home occupations and cottage industries shall not be permissible in residential apartments or row housing residences.
· Departmental stores, Groceries, confectionaries, general provision stores in plinth area not exceeding 100 sq.m in GF of individual building.
· Departmental stores, Groceries, confectionaries, general provision stores in plinth area not exceeding 300 sq.m in GF of Apartment complexes.
· Diagnosis centres in the plots with not more than 1000 sq.m.
· Disaster Risk resilience Centre
· Electronic printing press
· Fire stations
· Floor mill upto 15 HP
· Games facilities in-door and out-door
· Gardens
· Group Development Schemes
· Guest houses
· Gymnasium
· Hostels / Boarding house / Dormitories
· Individual Professional Offices
· IT enabled services on independent plots
· Libraries
· Newspapers, pan shops, magazines stalls and circulating libraries
· Night Shelter, Dharmashala, homes for senior citizens, orphanages, old Age Homes, Home for physically challenged/disabled/handicapped people, Clubs, Cultural and Philanthropic associations of
· Nursing Homes/Hospitals in the plots with not more than 1000 sq.m having approach through existing 12m road.
· Parks, Tot-lots
· Petrol filling stations without service stations having approach through existing 12m road.
· Photo studios, Xerox Shops
· Piped Gas Control Station / LPG Godown for Sale & distribution without storage and godown.
· Plant nurseries

Allowable Activities
· Playgrounds and Play fields
· Plumbers, electricians, radio, TV and electronic equipment repair shops, Building materials, hardware and paints shops
· Police stations
· Poly Clinic / Dispensary /Medical shops/Pharmacies/First Aid centres
· Post-offices
· Primary School, high school, Jr. College and training institutions such as Tutorial classes, Computer education centers, Internet cafe centers
· Professional establishments in individual buildings within plot area up to 500 sqm
· Professional establishments with plinth area up to 300 sq.m in Ground floor of an Apartment complex
· Public Conveniences / Public Utility Buildings (Water pumping stations, Command & Control centers), Well / Tube Well / Ground / Elevated / High Level Water Reservoirs.
· Religious premises (Temples, Mosques, Churches and other religious buildings etc. in site area not more than 500 Sqm.
· Residential Buildings, Apartments, Group Housing, Row Housing
· Residential Townships
· Retail Gas outlets / LP Gas Booking Center having approach through existing 12m road.
· Service Apartment
· Shoe Shops
· Shop/Professional offices/clinics/banks in total G. F and residences in upper floors
· Shops dealing with ladies ornaments. Fancy and gift items etc.
· Swimming pool
· Three wheeler stands
· Tiffin centers/Restaurants/Food Courts/Curry point up to 200 sqm of plot area.
· Transformers/Electric sub-stations
· Vehicle parking including multilevel car parking
· Vehicle service centers up to 5 HP
· Water Plants below 10 HP

4.4 COMMERCIAL USE ZONE

The commercial land use shall be allowed as follows:

Allowable Activities
· All uses permissible in Residential uses are permissible
· All commercial and business uses including all shops, stores, storages, markets, shopping centres and uses connected with the display and sale of merchandise, either wholesale or retail but excluding explosives, obnoxious products and other materials likely to cause health hazards without limitation of floor area.
· Automobile service stations, Auto mobile showrooms, and workshops with installation not exceeding 50 HP
· Banks
· Banquet Halls
· Bio-informatics centres
· Broadcasting, telecasting and telecommunication stations
· Cattle fair ground
· Cinema Theatres/Miniplex/ Multiplex/entertainment centres such uses for public

gathering
· Clinics and Nursing Homes not treating contagious diseases or mental patients.
· Cold storages and ripening chambers
· Convention Centres
· Drive-in Restaurants
· Family entertainment centers having approach through existing 12m road.
· Film and allied Production Activities - Film and Video Shooting Sites, Film Studios on Land not less than 2.5 ha with studio and other related facilities
· Financial institutions
· Fruit and Vegetable markets
· Gas godown subject to obtaining NoC from Director General of Fire Services and the Department of Explosives of the Government of India.
· Government offices, Business Offices and other commercial and financial institutions without limitation of floor area.
· Green, White industries not exceeding 20 HPEM
· Holiday resorts
· Hostels
· Hotels
· IT Parks
· Kalyanamandapam / Function Hall/ Community Hall

4.5 MIXED USE ZONE: MIXED USE ZONE - 1

Allowable Activities	Required minimum RoW
All uses except Industrial use are permissible subject to availability of Road width and as per building rules issued from time to time. The usage of the building with composition of two or more uses into one Building such as Residential, Commercial, Hotel, Restaurants, Retail shops, Laundry, Parking lots, etc., shall be allowable.	
· Amphitheatre, Open Air Theatre, Amusement Park, Auditorium, Club House, Cultural Centers, Exhibition Centre, Specialized Theme Park, Garden Parks, Sport Stadium / Complex, Swimming Pools	24 m
· Automobile service stations and workshops with installation not exceeding 50 HP	18m
· Bio-informatics centers	12m
· Broadcasting, telecasting and telecommunication stations	18m
· Cattle fair ground	18m
· Cinema Theatres/Miniplex/Multiplex Such uses for public gathering	18m
· Cold storages and ripening chambers, Godowns	18m
· Convention Centers	18m
· Family entertainment centers	18m
· Film and allied Production Activities - Film and Video Shooting Sites, Film Studios on Land not less than 2.5 ha with studio and other related facilities	24m
· Fruit and Vegetable markets	12m
· Gas Godowns	18m
· Government offices research and social services institutions	12m
· Holiday Resorts, Drive-in Restaurants	18m
· Hospitals	18m

Allowable Activities	Required minimum RoW
· Hotels, restaurants, lodging houses , guest houses, hostels	12m
· IT Parks	18m
· Kalyanamandapam/Function Hall/Banquet hall	18m
· Large scale commercial establishments above 4000 sq.m site area	24m
· Malls, Hospitality buildings including hotels, Club House	18m
· Markets and Mandis	12m
· Meat and fish markets	12m
· Newspaper offices with printing press	12m
· Petrol filling stations with service stations	18m
· Private helipads subject to clearance by Civil Aviation department	24m
· Professional establishments	12m
· Taxi and scooter stands	12m
· Timber storage	18m
· Warehouses and other uses connected with storage of wholesale trade in commodities	18m
· Wholesale markets/shops above 4000 sq.m area	18m

Applicable uses in Mixed Use Zones	
Mixed Land use Category	Applicable activities
Bhogapuram Airport and Influence Area (BAIA)	
Mixed Use-1	All the activities in Mixed use-1 are allowable in the Mixed use-1 belt is proposed on both sides of NH-26 from Hanumanthavaka junction to Pusapatirega (upto VMRDA limits).
# Mixed Use- 2	Residential
	Retail Commercial
	Education
	Healthcare
	Hospitality
# Mixed Use-3	Public Utilities /Amenities
	Residential
	Retail Commercial
	Education
	Healthcare
	Hospitality
	Public Utilities /Amenities
	Assembly
# Mixed use -4	Offices
	Transport
	Wholesale commercial
	Industries
# Mixed use -4	Quarrying
	Solid Waste Management

Note: Detailed ZDPRs for BAIA shall be published separately for # uses

4.6 INDUSTRIAL USE ZONE

- a. All types of Industrial building permissions shall be allowed as per the rules & guidelines prescribed by the Industries Department and necessary clearance from APPCB/SEIAA or MoEF&CC Government of India as amended from time to time.
- b. Wholesale business establishments, Ware-housing and printing press.
- c. Petrol filling stations with garages and service stations, Automobile Workshops.
- d. Contractors plants, Godowns, Stock yards, Gas Godowns.
- e. Parks, play grounds and recreational uses
- f. Sewage farms, Public utility buildings, Govt. & Quasi Govt. offices, Restaurants.
- g. Transport terminals for goods and passengers, Goods and Logistic Hubs, Junk yards, Taxi stands, Auto stand.
- h. Residential buildings for staff, Shops, Watch and Ward staff quarters incidental to main use, Dispensary.
- i. Loading and unloading spaces, Parking lots.
- j. Hospitals, Nursing homes in the sites having area below 1000 Sqm. With 18m wide road.
- k. Technical and research institutions, ITI, Polytechnic, Training center.
- l. Quarries, stone crushers, concrete mix.
- m. All uses which are permissible under Transportation use.
- n. Microwave towers, Power plants, Electrical Sub-station,
- o. Dairy and poultry farms, Slaughter house and meat processing unit, Ice and freezing plants with power.

Note: All industries shall be permitted in the sites abutting to existing road width of 9mts, subject to handing over the applicants site required for widening the existing road to 12mts. (As per amendments of G.O.Ms. No. 223, Dt. 09-07-2018)

4.7 PUBLIC AND SEMI-PUBLIC USE ZONE & PROPOSED FACILITY AREAS

Allowable Activities
· Residential & other uses incidental to the main use and in no way causing any nuisance or hazard
· Airports, Helipads, Airport related ancillary uses
· All educational and medical institutions
· All types of Health/primary center
· All types of Hospitals/clinics
· Aquarium
· Art galleries
· Auditoriums
· Bank, Financial Institutions
· Burial ground, Cemeteries and Crematoria
· Central government offices and uses
· Choultries
· Circus fair festivals
· Computer software units, professional offices
· Conference halls

Allowable Activities
· Defense uses
· Disaster Risk Resilience centers
· Dobhi Ghat
· Exhibitions and fair grounds
· Geological and botanical gardens
· Golf Courses
· Horticultural nursery
· Hostels, orphanage, old age home
· IT enabled services
· Jail, Police station, Borstal school,
· Libraries
· Library
· Local government offices and uses
· Monuments
· Municipal and community facilities
· Museums
· Open air theatres
· Petrol Pump / Petrol filling stations with garages and service stations
· Planetarium
· Polytechnic college
· Port, Shipyard, Dockyard, boat yard, Harbor, jetty
· Post office
· Professional Colleges/ Universities
· Public undertaking offices and uses
· Race courses/Gokarting/Racing track
· Radio transmission and wireless stations
· Railway Station/yard incidental uses to railways
· Religious and Welfare Institutions along with residential quarters
· Religious buildings/centers
· Research and development centers
· Residential plotted or group housing for staff/employees as incidental to the main use
· School, Degree Colleges
· Semi Government offices and uses
· Shooting ranges
· Social, welfare and cultural institutions
· Spastic rehabilitation centers
· Special recreational areas
· Sports stadium(indoor & outdoor), Play grounds
· Stables
· State government offices and uses
· Swimming pools
· Temporary uses for exhibition
· Uses incidental to government offices and their use
· Water fronts and areas of scenic interest and national parks

4.8 PUBLIC UTILITIES USE ZONE

Allowable Activities
· Accessory and support shopping activity
· Any other use/activity incidental to communication use, residential units for staff.
· Booking offices, Courier centers, parcel offices
· Cell towers
· Community toilets
· Effluent treatment plant
· Electric power plant
· Electric sub station
· Elevated service level reservoir
· Ground level service reservoir
· Helipads
· Motor garage
· Night shelter
· Observatory and weather office
· Petrol filling stations with garages & service stations
· Post /Telegraph office
· Public utility buildings.
· Radio and television station
· Radio/TV station
· Sewage pumping station
· Sewage treatment plant
· Solar power plant
· Telecommunication center
· Telephone exchange
· Telephone exchange
· Transmission center
· Warehousing
· Water pumping station
· Water treatment plant
· Way side amenities.
· Wireless station
· Workshop and incidental amenities

4.9 RECREATIONAL USE ZONE

Allowable Activities
· All other parks
· Bird Sanctuary
· Botanical/ Zoological garden
· Building and structures ancillary to uses permitted in open spaces and parks such as stand for vehicles on hire, subject to the total ground coverage not exceeding 2%, Camping grounds
· Children traffic parks
· Circus and other shows

· Clubs
· Commercials use of transit nature like cinema
· Film Studios/city having minimum plot area of 10 acres, with ground coverage not exceeding 10%
· Holiday resorts
· Holiday resorts having minimum plot area of 10 acres with ground coverage not exceeding 5%.
· Open air cinemas
· Outdoor stadiums
· Picnic huts
· Playgrounds
· Public assembly halls
· Regional parks
· Restaurants and caravan parks
· Shooting range
· Special recreation and special educational areas
· Specialized parks/ Maidans for multi-use
· Sports training centers
· Stadiums
· Swimming pool
· Taxis and scooters Stands
All recreational activities/resorts/tourism activities/uses which will create tourism promotion are permissible in this zone subject to obtaining relevant No objection certificates/ clearances from the concerned/ respective departments like irrigation department, River conservation etc. to encourage tourism promotion.
Library
Museums

4.10 TRANSPORTATION USE ZONE

Allowable Activities
<ul style="list-style-type: none"> • Airports buildings and infrastructure, Sea Port / Dry Port, facilities such as night shelters, Automobile showrooms, Bus Bays & local Bus Stands, Container Terminal, Fuel Filling / Petrol / Gas / Diesel / Bio Diesel Station, Jetty along navigable water bodies, rivers, canals, sea, Multi-Level parking, Open Parking / Taxi / Auto Rickshaw Stand, Navigation canals, Railway / Metro / BRTS / MRTS stations, Cold Storage, Logistic Park / Ware Houses / CFS-Container freight station, Aerial Ropeway
<ul style="list-style-type: none"> • All Commercial uses as incidental to main use shall be permitted including shopping complex, malls, miniplex/multiplex etc. and same shall be forwarded to VMRDA provided that separate parking space shall be provided as per AP Buildings Rules along with other conditions as per AP Building Rules and its Amendments.
<ul style="list-style-type: none"> • All types of Parking areas
<ul style="list-style-type: none"> • Bus & Railway Passenger Terminals
<ul style="list-style-type: none"> • Goods Terminals
<ul style="list-style-type: none"> • Helipads, Heliport
<ul style="list-style-type: none"> • Lay bays

• Motor garage & Repair Shops, Junk Yards
• Passenger Interchange terminals
• Petrol filling stations with garages & service stations
• Police Outpost & Police / Traffic Police Station
• Railways – Passenger and Freight Terminals
• Road Transport Terminals (Bus stands& Depots), bus stops
• RTO
• Truck Terminal, Truck Parking, Lorry stands
• Accessory and support shopping activity
• Any other use/activity incidental to transport, residential units for staff.
• Hotels /Restaurants / Canteens / Eating houses
• Retail trade and services including banks / Trade Centre / offices, All Govt offices
• Weigh Bridges

4.11 AGRICULTURAL USE ZONE

- a. The farm house buildings/ layouts are permissible which incidental uses to agriculture, horticulture garden. Approval/permission to be obtained from competent authority duly following the specifications given below and the procedure as per the norms.
- b. **Farm-house layouts for Agricultural activities:**
 - a) Minimum width of internal gravel road shall be 9.00 m
 - b) Minimum plot area of 2000 sqm and no sub-division of plot is allowed.
 - c) In the layout plots building permission shall be accorded by the competent authority with plinth area not exceeding 5% coverage, with 200 Sqm.in aggregate whichever is less consisting of G+1 floor only, rest of the plot shall be in use with cultivation / plantation.
 - d) Site must have access through existing public road, Puntha, Gorge etc.,
 - e) Farmhouse buildings are allowed in approved farmhouse layouts by competent authority. Duly obtains building permission from competent authority
- c. **Farm-house in Agricultural Land use:**
 - a) Minimum farmhouse site shall not be less than 0.2 Ha or 0.5 Acres.
 - b) Floor area shall not exceed 200sqm. in aggregate or 5% of ground coverage whichever is less.
 - c) Shall not exceed more than G+1 Upper Floor.
 - d) Maximum height – 8 m.
 - e) Site must have access through existing public road, Puntha, Gorge
- d. Not applicable for the lands intentionally / unauthorized sub-divided duly forming new roads.
- e. Shall follow GOs, instructions of the authorities issued time to time in this regard.

Allowable Activities
• Agro based industries
• All agricultural uses and horticulture uses
• All types of brick/block industries and brick kilns
• Aqua farms, Aquaculture
• Burial/burning grounds or crematoria

Allowable Activities
· Cattle fairgrounds
· Cold storage/Ripening chambers
· Dairy and Cattle/Cow shed, Gosala, Emu Farms, Stud farms
· Fish farms
· Food processing industries
· Forestry
· Hatcheries
· Installation of electric machinery of not exceeding 15 HP may be allowed for the uses mentioned above
· Livestock rearing milk chilling centres
· Piggeries, poultry farms, animal and bird farms
· Pisciculture, Floriculture
· Water tanks and reservoirs

The following activities, which are ancillary uses to Agricultural use shall also be allowed duly collecting an impact fee @1% of non-agricultural basic market value of Registration Department on site area or as fixed by the authority/Govt. as amended by authority from time to time.

· All Educational buildings
· Amusement parks such as Disney land type
· Check posts and toll gates having access to major roads
· Concrete block
· Eco-tourism activities
· Electric Sub-stations& B
· Filling stations
· Function halls
· Golf centres, Race course
· Helipads
· Hospitals, Veterinary hospital
· Ice industry up to 50 HP
· Mini power projects
· Pre-cast cement industries
· Quarrying and removal of clay and stone up to 3.0m depth and crushing
· Race/Driving testing tracks
· Ready mix concrete plants
· Receiving stations
• Storage and sale of farm products locally produced
• Sugar mills
• Jaggery Mills
• Toy Trains
• Camping Sites & Other recreational Uses
• Truck terminals
• Ware house
• Weigh bridges and check posts

4.12 BROWN ZONE (HILLS)

IT hub, Tourism Projects, Recreational use shall be allowed on the hills except Eco-sensitive Zone, Heritage Zone etc.,

Special projects sanctioned by the Govt. shall also be permitted in this zone.

4.13 SPECIAL AREA USE ZONE

All properties of Defense/ Military shall fall under this zone.

4.14 PROTECTED USE ZONE

a. Blue Zone (Water Bodies)

- Water bodies zone generally indicates all existing water courses, rivers, canals, lakes, tanks, geddas and kuntas as indicated in the topographical sheets published by the Survey of India/Revenue records/Irrigation department/or other competent authorities.
- The boundary of the water bodies relates to the full tank level as indicated in relevant maps, covering both perennial and non-perennial parts when such distinction exists. In water Body Zone no construction is permitted in the water-spread.
- The only exception is fishing, boating, and picnics along the banks. The only construction allowed is open to sky jetties for boating, house boats, and platforms for fishing and rain shelters' and snack bars each not exceeding 100 sq.m in area and tourist amenities.
- The measurement of all water bodies should be as per irrigation records/revenue records and in case of any discrepancy the relevant revenue/irrigation records stands final.

b. Green Zone (Reserved Forest)

- No development permission shall be allowed except Agriculture, Botanical gardens, Horticulture and forestry use in Bio-Conservation Zone / Reserved Forest as notified by the Govt.
- Microwave radar/Electric substations/Cell phones tower/T.V. tower and station are permitted in the zone subject to obtain NOC/ Clearance from the Forest Dept.
- Kambalakonda Reserve Forest, Eco-sensitive Zone is shown as per A.P. Extraordinary Gazette Dt.02-08-2017 and the Gazette of India Dt.28-04-2017 of MoEF& CC. Any permission in this area shall be subject to rules & regulations mentioned in the above Gazette.

c. Coastal Regulation Zone

The CRZ rules and regulations issued by the MoEF, CPCB and APPCB shall be followed from time to time at the time of acquiring development permissions.

4.15 SPECIAL REGULATIONS:

- a. All commercial/mixed use buildings can be permitted by the ULBs /Competent Authority in the sites having area above 1000Sq.mt and abutting the road having width of 18m and above in Residential use zone in the limits of Municipal Corporations, Municipalities and Nagar Panchayats, subject to collection of Impact fee @ 1% of non-agricultural basic market value of registration department on site area or as fixed by the Authority/Govt. from time to time.

- b. All buildings in site area more than 2000 Sqm approved in mixed-use zone/commercial zone abutting 24m and above wide roads, Impact fee @ 1% of non-agricultural basic market value of Registration Department on site area shall be collected by the approving authority/ as fixed by the authority from time to time.
- c. The assigned land use/belt of any zone to any property shall be applicable to the entire plot area of large plots whose depth is more than the prescribed limit of particular belt, subject to the condition, that such plot owner shall apply for permission for the entire extent of his site.
- d. The competent authority can accord Residential development permissions up to 10 hectares of site area in Agricultural land use by collecting Impact fee @ 1% of non-agricultural basic market value of Registration Department on total site area/ as fixed by the authority from time to time.
- e. The Impact fee @ 1% on basic market value collected as above by the Local bodies shall be remitted to VMRDA funds for utilizing the same for developmental works/ as fixed by the authority from time to time.
- f. If a building is permitted with two different usages in separate floors, the total parking requirement shall be calculated on predominant usage of that particular building.
- g. Competent authority can permit any use in the Government irrespective of its usage as per Government orders without pre-judice to court orders.
- h. The Registration of Builder, Developer, Society, , Architect, (authorized Agency or body and obtaining of license for Town Planner, Planning and Design Consultancy No licensing fee for the registered Architects with the council of Architecture, However they have to enroll with VMRDA in prescribed proforma duly paying the prescribed amount of publication charges of Directory of licensees.) Landscape Architect, Civil Engineer, Structural Engineers and Surveyors are made mandatory to practice in Visakhapatnam Metropolitan Region Development Authority (VMRDA), subject to the terms and conditions stipulated by the Authority/Government from time to time.
- i. If the width & alignment of road, water body, hills, forest land and classification of land etc., shown in the Master plan are contravening with the actual measurements of Revenue Records and record of the concerned department, the measurements of Revenue Records and authenticated record of the concerned department shall be final and shall be adopted.
- j. Where the RoW of existing road is greater than the proposed RoW, then the setbacks and height restrictions shall be considered for higher width as per rules in force.
- k. The ZDPR does not barred from the various statute/Act Rules in force of various competent Authorities in public health safety point of view and it has to be followed by the various public/organizations etc.
- l. Notwithstanding any of the rules, the VMRDA reserves the right to impose any conditions/rules for the betterment of environment/public health & safety of the public.

5. Regulations for Conservation of Heritage Buildings, Heritage Precincts and Natural features within Municipal Corporations/ Municipal Areas/Nagar Panchayats/other legally designated urban areas.

Conservation of buildings, artifacts, structures, areas and precincts of Historic and/or aesthetic and/or architectural and /or cultural significance (Heritage buildings and heritage precincts) and/or natural features of environment significance.

5.1 APPLICABILITY AND GENERAL

- a. These regulations shall apply to heritage sites which shall include those buildings, artifacts, structures, streets, areas and precincts of historic, architectural, aesthetic, cultural or environmental value (hereinafter referred to as Listed Heritage Buildings/Listed Heritage Precincts) and those natural feature areas of environmental significance or of scenic beauty including, but not restricted to, sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, points, walks, rides, bridle paths (hereinafter referred to as 'listed natural feature areas') which shall be listed in notification(s) to be issued by the State Government/identified in Master Plan or any other plans notified by the Authority.
- b. The provisions in this chapter are beyond the regulations applicable on the Prohibited and Regulated areas as defined by Ancient Monuments and Archaeological Sites and Remains (AMASR) Act 2010, where site specific Heritage Bye-Laws are prepared and notified by the Competent Authority (National Monuments Authority) under the AMASR Act shall be applicable.
- c. NOC shall have to be obtained by submission of required documents as may be necessary, including "Heritage Impact Assessment report", if so necessitated by the National Monuments Authority.

5.2 PREPARATION OF LIST OF HERITAGE SITES INCLUDING HERITAGE BUILDINGS, HERITAGE PRECINCTS AND LISTED NATURAL FEATURE AREAS:

- a. The list of heritage sites including Heritage Buildings, Heritage Precincts and listed Natural Features Areas is to be prepared and supplemented by the Local Authority/Development Authority on the advice of the Heritage Conservation Committee and shall obtain the preliminary approval of the Government.
- b. Before being finalized, objections and suggestions of the public are to be invited and on the recommendation of the Heritage Committee on the objections and suggestions, the Government shall accord the final approval of the list heritage of sites including Heritage Buildings, Heritage Precincts and listed Natural Features Areas which shall be notified.
- c. The said list to which the regulation applies shall not form part of this regulation for the purpose of Building Rules.
- d. The list may be supplemented from time to time by Government on receipt of proposal from the agency concerned or by Government suo-moto provided that before the list is supplemented, objections and suggestions from the public be invited and duly considered by the State Government after obtaining a detailed recommendation from the Heritage Conservation Committee on the objections and suggestions received.
- e. When a building or group of buildings or natural feature areas are listed, it would automatically mean (unless otherwise indicated) that the entire property

including its entire compound/plot boundary along with all the subsidiary structures and artifacts etc. within the compound/plot boundary, etc. shall form part of list.

5.3 GRADING OF THE LISTED BUILDINGS / LISTED PRECINCTS

- Listed Heritage Buildings/Listed Heritage Precincts may be graded into three categories.
- The definition of these and basic guidelines for development permissions are as given below.
- Listing does not prevent change of ownership or usage.
- However, change of use of such Listed Heritage Building/Listed Precincts is not permitted without the prior approval of the Heritage Conservation Committee.
- Use should be in harmony with the said listed heritage site.

Grading of Listed Heritage Buildings / Precincts

(A) DEFINITION		
Grade - I	Grade - II	Grade - III
Heritage Grade-I comprises buildings and precincts of national or historic importance, embodying excellence in architectural style, design, technology and material usage and/ or aesthetics; they may be associated with a great historic event, personality, movement or institution. They have been and are the prime landmarks of the region. All natural sites shall fall within Grade-I.	Heritage Grade-II (A&B) comprises of buildings and precincts of regional or local importance possessing special architectural or aesthetic merit, or cultural or historical significance though of a lower scale than Heritage Grade-I. They are local landmarks, which contribute to the image and identity of the region. They may be the work of master craftsmen or may be models of proportion and ornamentation or designed to suit a particular climate to suit a particular climate	Heritage Grade-III comprises building and precincts of importance for townscape; that evoke architectural, aesthetic, or sociological interest through not as much as in Heritage Grade-II. These contribute to determine the character of the locality and can be representative of lifestyle of a particular community or region and may also be distinguished by setting, or special character of the façade and uniformity of height, width and scale.

(B) Objective		
Grade - I	Grade - II	Grade - III
Heritage Grade-I richly deserves careful preservation.	Heritage Grade-II deserves intelligent conservation.	Heritage Grade-III deserves intelligent conservation (though on a lesser scale than Grade-II and special protection to unique features and attributes) unique features and attributes

(C) Scope for Changes		
Grade - I	Grade - II	Grade - III
No interventions be permitted either on exterior or interior of the heritage building or natural features unless it is necessary in the interest of strengthening and prolonging the life of the buildings/or precincts or any part or features thereof. For this purpose, absolutely essential and minimum changes would be allowed and they must be in conformity with the original.	<p>Grade-II (A): Internal changes and adaptive re-use may by and large be allowed but subject to strict scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage Grade-II.</p> <p>Grade-II (B): In addition to the above, extension or additional building in the same plot or compound could in certain circumstances, be allowed provided that the extension / additional building is in harmony with (and does not detract from) the existing heritage building(s) or precincts especially in terms of height and façade.</p>	Internal changes and adaptive re- use may by and large be allowed. Changes can include extensions and additional buildings in the same plot or compound. However, any changes should be such that they are in harmony with and should be such that they do not detract from the existing heritage building/ precinct.
(D) Procedure		
Grade - I	Grade - II	Grade - III
Development permission for the changes would be given on the advice of the Heritage Conservation Committee.	Development permission for the changes would be given on the advice of the Heritage Conservation Committee.	Development permission for changes would be given on the advice of the Heritage Conservation Committee.
(E) Vistas/Surrounding Development		
Grade - I	Grade - II	Grade - III
All development in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of, or view from Heritage Grade-I.	All development in areas surrounding Heritage Grade-II shall be regulated and controlled, ensuring that it does not mar the grandeur of, or view from Heritage Grade-II.	All development in areas surrounding Heritage Grade-III shall be regulated and controlled, ensuring that it does not mar the grandeur of, or view from Heritage Grade-III.

5.4 SIGNS AND OUTDOOR DISPLAY STRUCTURES/INCLUDING STREET FURNITURE ON HERITAGE SITES

Local Authority/Development Authority on the advice of the Heritage Conservation Committee shall frame regulations or guidelines to regulate signs, outdoor display structures and street furniture on heritage sites.

Composition of Heritage Conservation Committee

- a. The Heritage Conservation Committee shall be appointed by the State Government.
- b. The Committee shall have the powers to co-opt up to three additional members who may have related experience.
- c. The tenure of the Chairman and Members of other than Government Department /Local Bodies shall be as prescribed by the Government.

5.5 THE TERMS OF REFERENCE OF THE COMMITTEE

- a. To advise the Local Authority/Development Authority whether development permission is to be granted under Building Rules and the conditions of permission if any required.
- b. To prepare a supplementary list of heritage sites, which include buildings artifacts, structures, streets, areas, precincts of historic, aesthetic, architectural, cultural, or environmental significance and a supplementary list of natural feature areas of environmental significance, scenic beauty including but not restricted to sacred groves, hills, hillocks, water bodies (and the areas adjoining the same), open areas, wooded areas, points, walks, rides, bridle paths etc. to which this Building Rule would apply.
- c. To advise whether any relaxation, modification, alteration, or variance of any of the Building Rules is required in connection with conservation and preservation of any Listed Heritage Buildings/Listed Heritage Precincts.
- d. To frame special regulations/guidelines for precincts and if necessary for natural feature areas to advise the Local Authority/Development Authority regarding the same;
- e. To recommend to the Local Authority/Development Authority guidelines to be adopted by those private parties or public/government agencies who sponsor beautification schemes at heritage sites;
- f. To prepare special designs and guidelines/publications for listed buildings, control of height and essential façade characteristics such as maintenance of special types of balconies and other heritage items of the buildings and to suggest suitable designs adopting appropriate materials for replacement keeping the old form intact to the extent possible.
- g. To prepare guidelines relating to design elements and conservation principles to be adhered to and to prepare other guidelines for the purposes of this Regulation;
- h. To advise the Local Authority/Development Authority /on any other issues as may be required from time to time during course of scrutiny of development permissions and in t h e overall interest of heritage/conservation;
- i. To advise the Government either independently or through or on behalf of the Local Authority/Development Authority in cases of Appeals under Local Authority/Development Authority Act in cases of listed buildings/heritage buildings and listed precincts/heritage precincts and listed natural feature areas.

5.6 RESPONSIBILITY OF THE OWNERS OF HERITAGE BUILDINGS

It shall be the duty of the owners of heritage buildings and buildings in heritage precincts or in heritage streets to carry out regular repairs and maintenance of the buildings. The State Government/Local Authority/Development Authority concerned shall not be responsible for such repair and maintenance except for the buildings owned by the Government/Local Authority/Development Authority.

5.7 RESTRICTIONS ON DEVELOPMENT / RE-DEVELOPMENT / REPAIRS ETC.

- a. No development or redevelopment or engineering operation or additions / alterations, repairs, renovations including painting of the building, replacement of special features or plastering or demolition of any part thereof of the said listed buildings or listed precincts or listed natural feature areas shall be allowed except with the prior permission of Local Authority/Development Authority.
- b. Before granting such permission, the agency concerned shall consult the Heritage Conservation Committee to be appointed by the State Government and shall act in accordance with the advice of the Heritage Conservation Committee.
- c. Provided that, before granting any permission for demolition or major alterations/additions to listed buildings (or buildings within listed streets or precincts), or construction at any listed natural features, or alteration of boundaries of any listed natural feature areas, objections and suggestions from the public shall be invited and shall be considered by the Heritage Conservation Committee.
- d. Provided that, only in exceptional cases, for reasons to be recorded in writing, Local Authority/Development Authority may refer the matter back to the Heritage Conservation Committee for reconsideration.
- e. However, the decision of the Heritage Conservation Committee after such reconsideration shall be final and binding.

5.8 ALTERATION / MODIFICATION / RELAXATION IN DEVELOPMENT NORMS

On the advice of the said Heritage Conservation Committee to be appointed by the Government and for reasons to be recorded in writing, the Local Authority/Development Authority shall follow the procedure as per Development Authority Act, to alter, modify or relax the Development Control Norms prescribed in the Master Plan, if required, for the conservation or preservation or retention of historic or aesthetic or cultural or architectural or environmental quality of any heritage site.

5.9 HERITAGE PRECINCTS / NATURAL FEATURE AREAS

- a. In cases of streets, precincts, areas and (where deemed necessary by the Heritage Conservation Committee) natural feature areas notified, development permissions shall be granted in accordance with the special separate regulation prescribed for respective streets, precincts/natural feature areas which shall be framed by the Local Authority/Development Authority on the advice of the Heritage Conservation Committee.
- b. Before finalizing the special separate regulations for precincts, streets, natural features, areas, the draft of the same shall be published in the official gazette and in leading newspapers for the purpose of inviting objections and suggestions

- from the public.
- c. All objections and suggestions received within a period of 30 days from the date of publication in the official gazette shall be considered by the Local Authority/Development Authority/ Heritage Conservation Committee.
 - d. After consideration of the above suggestions and objections, the agency concerned, acting on the advice of the Heritage Conservation Committee shall modify (if necessary) the aforesaid draft separate regulations for streets, precincts, areas and natural features and forward the same to Government for notification.

5.10 ROAD WIDENING

Widening of the existing roads under the Master Plan or Town/ Zonal Development Plan or in the Layout Plan shall be carried out considering the existing heritage buildings or which may affect listed natural features areas.

5.11 INCENTIVE USES FOR HERITAGE BUILDINGS

In cases of buildings located in non-commercial use zones included in the Heritage Conservation List, if the owner/owners agree to maintain the listed heritage building as it is in the existing state and to preserve its heritage state with due repairs and the owner/owners/lessees give a written undertaking to that effect, the owner/owners/lessees may be allowed with the approval of the Heritage Conservation Committee within permissible use zone to convert part or whole thereof of the non-commercial area within such a heritage building to commercial/ office use/hotel. Provided that if the heritage building is not maintained suitably or if the heritage value of the building is spoiled in any manner, the commercial/office/hotel use shall be disallowed.

5.12 MAINTAINING SKYLINE AND ARCHITECTURAL HARMONY

After the guidelines are framed, buildings within heritage precincts or in the vicinity of heritage sites shall maintain the skyline in the precinct and follow the architectural style as may be existing in the surrounding area, so as not to diminish or destroy the value and beauty of or the view from the said heritage sites. The development within the precinct or in the vicinity of heritage sites shall be in accordance with the guidelines framed by the Local Authority/Development Authority on the advice of the Heritage Conservation Committee or separate regulations/guidelines, if any, prescribed for respective zones by Local Authority/ Development Authority.

5.13 RESTRICTIVE COVENANTS

Restrictions existing as imposed under covenants, terms and conditions on the leasehold plots either by the State Government or by the Local Authority/Development Authority shall continue to be imposed in addition to Development Control Regulations. However, in case of any conflict with the heritage preservation interest/ environmental conservation, this Heritage Regulation shall prevail.

5.14 OPINION OF THE HERITAGE CONSERVATION COMMITTEE

Nothing mentioned above should be deemed to confer a right on the owner/occupier of the plot to demolish or reconstruct or make alterations to his heritage building/buildings in a heritage precinct or on a natural heritage site if in

the opinion of the Heritage Conservation Committee, such demolition/ reconstruction/ alteration is undesirable.

5.15 APPROVAL TO PRESERVE THE BEAUTY OF THE AREA

The Heritage Conservation Committee shall have the power to direct, especially in areas designated by them, that the exterior design and height of buildings should have their approval to preserve the beauty of the area.

5.16 IMPLICATIONS OF LISTING AS HERITAGE BUILDINGS

The Regulations do not amount to any blanket prevention of demolition or of changes to Heritage Buildings. The only requirement is to obtain clearance from Local Authority/Development Authority as the case may be and Heritage Conservation Committee from heritage point of view.

5.17 OWNERSHIP NOT AFFECTED

Sale and purchase of Heritage Buildings does not require any permission from Local Authority/Development Authority/Heritage Conservation Committee. The Regulations do not affect the ownership or usage. However, such usage should be in harmony with the said listed precincts/buildings. Local Authority/ Development Authority shall ensure that the development permission relating to these buildings is given within 30 days whenever such application is submitted.

5.18 PENALTIES

- a. Violation of the regulations shall be punishable under the provisions regarding unauthorized development under the provisions of the respective Acts of Local Authority/Development Authority. In case of proved deliberate neglect of and/or damage to Heritage Buildings and Heritage Precincts, or if the building is allowed to be damaged or destroyed due to neglect or any other reason, in addition to penal action provided under the concerned Act, no permission to construct any new building shall be granted on the site if a Heritage Building or Building in a Heritage Precinct is damaged or pulled down without appropriate permission from Local Authority/Development Authority.
- b. It shall be open to the Heritage Conservation Committee to consider a request for rebuilding/reconstruction of a Heritage Building that was unauthorized demolished or damaged, provided that the total built-up area in all floors put together in such new construction is not in excess of the total built-up area in all floors put together in the original Heritage Building in the same form and style in addition to other controls that may be specified.

Y.SRILAKSHMI
SPECIAL CHIEF SECRETARY TO GOVERNMENT